

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CRIM. NO. SA-06-CR-210-FB

PEDRO DEHOYOS-MARTINEZ,

Defendant.

MOTION TO REVOKE SUPERVISED RELEASE

Comes now the United States, by and through its undersigned counsel, and moves this Court to revoke the Defendant's supervised release pursuant to Fed. R. Crim. P. 32.1 and Title 18 United States Code, Section 3583(e)(3). In support hereof, the United States submits the following:

On November 17, 2006, the Defendant was sentenced to serve a term of imprisonment of seventy-seven (77) months custody followed by three years of non-reporting supervised release following his conviction for Illegal Reentry Into the United States in violation of Title 8 United States Code, Section 1326(a) and (b)(2). The Defendant was subsequently removed from the United States and his three-year term of non-reporting supervised release term commenced on February 19, 2014.

On or about August 17, 2015, after returning to the United States illegally, the Defendant was encountered by immigration authorities in San Antonio, Texas. Investigation determined that he was in the United States illegally after being removed from the United States. The Defendant was named in a one-count Indictment charging him with Illegal Reentry into the United States in violation of Title 8 United States Code, Section 1326(a) and (b)(2) in Cause Number SA-15-639 FB.

For reasons set forth herein and in the Petition for Warrant or Summons for Offender Under Supervision, and incorporated herein by reference, the United States requests the revocation of the Defendant's period of supervised release, and asks the Court to order the Defendant serve in prison all or part of the supervised release term consecutively to any sentence imposed in Cause Number SA-15-639 FB.

Respectfully submitted,

RICHARD L. DURBIN, JR.
UNITED STATES ATTORNEY

By: _____ /s/
JUDITH A. PATTON
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CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing Motion to Revoke Supervised Release has been delivered to Carlos Adrian Solis, attorney for the defendant, via the Western District of Texas ECF electronic filing system, on this the 8th day of February, 2016.

/s/
JUDITH A. PATTON
Assistant United States Attorney

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ORDER REVOKING SUPERVISED RELEASE AND
RE-SENTENCING THE DEFENDANT

On this day came on to be considered the United States' Motion to Revoke the Defendant's supervised release. After due hearing, including consideration of all statutory factors and revocation policy statements, the Court finds that the Defendant has violated the conditions of supervised release.

It is ORDERED that:

1. The motion of the United States to revoke the term of supervised release is granted, and the Defendant's period of supervised release is revoked pursuant to Title 18, United States Code, Section 3583(e)(3).
2. The Defendant is remanded to the custody of the United States Bureau of Prisons for a period of imprisonment in a jail-type facility, not a halfway house or like facility, for a term of _____ months without credit for time previously served on supervised release.

SO ORDERED on _____, 2016.

FRED BIERY
UNITED STATES DISTRICT JUDGE